IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO.21665 of 2004

Between:

The Harijana Labour Contract Co-operative Society Ltd., Gundla Singaram, Hanumakonda, Register NO. 862
rep by its President Gadipi Sambaiah,S/o. Late Illaih, Aged about 41 years, Hunmankonda Mandal,
Warangal District.

..... PETITIONER

AND

1 The Government of A.P. rep by its Secretary Municipal

Administration & Urban Development (G2) Department, Secretariat

Building, Hyderabad.
2 The Commissioner, Warangal Municipal Corporation, Warangal, Warangal District.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, particularly a writ in the nature of mandamus, declaring the action of the 2nd respondent in not giving the sanitation work on nomination basis to the petitioner society is contrary to the G.O.Ms.NO.30, dated 18-1-2000 and G.O.Ms. NO.581 M.A. dated 6-11-1996 and also violative of principles of natural justice and also Articles 14 and 21 of the Constitution of India and consequently direct the 2nd respondent to follow the G.Os issued by 1st respondent.

Counsel for the Petitioner: MR.G.SIMHADRI

Counsel for the Respondent NO.1: GP for Mun.Administration

Counsel for the respondent no.2 : MR.K.VENUGOPAL

The Court at the stage of admission made the following:

ORDER:

The petitioner claims to be a registered society and is entitled to the benefits provided under G.O.Ms.No.581 dated 6-11-1996 and G.O.Ms.No.30 MA dated 18-1-2000. That the second respondent issued a tender notification dated 26-9-2004 to execute the sanitation works for 25 units of the corporation. The petitioner alleges that the subject works were allotted to newly formed societies, resulting in deprivation of right to life of the members of the petitioner society. It is also stated that the petitioner herein along with others made a representation dated 28-9-2004 to allot 50 % of the sanitation works on nomination basis to the members of the petitioner society. It is also stated that the petitioner has made a representation on 7-10-2004 to the first respondent to allot the sanitation work on nomination basis and in turn the first respondent directed the second respondent to take necessary action in terms of G.O.ms.No.581 dated 6-11-1996 and G.O.Ms.No.30 dated 18-1-2000 and rules in force. The grievance of the petitioner is that in spite of the above directions of the first respondent, the second respondent has not considered its representation dated 28-9-2004 for allotment of sanitation work on nomination basis. Hence, the writ petition.

Learned counsel for petitioner submitted that there are about 58 units of works in Warangal Municipality and the representation of the petitioner and others dated 28-9-2004 for allotment of sanitation work on nomination basis may be considered for the left over works.

Heard learned counsel for petitioner, learned Government Pleader for Municipal Administration and learned Standing Counsel for respondent municipality. The counsel representing respective parties agreed for disposal of the writ petition at the stage of admission with a direction to the respondent municipality to consider the representation of the petitioner for left over works, if any.

Since the representation of the petitioner dated 28-9-2004 is still pending with the respondents, I deem it appropriate to dispose of the writ petition, directing the second respondent to consider the representation of the petitioner society dt 28-9-2004 and pass appropriate orders in accordance with law and in terms of G.O.Ms.No.30 dt 18-1-2000 and G.O.Ms.No.581 dated 6-11-1996 for allotment of left over sanitation work, if any.

Accordingly, the writ petition is disposed of at the stage of admission.

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N.V.RAMANA,J

29-11-2004

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To

1.. The Secretary

Government of A.P.

Municipal Administration & Urban Development (G2) Department, Secretariat Building, Hyderabad.

2.. The Commissioner, Warangal Municipal Corporation, Warangal, Warangal District.

3.. 2 CD copies

4. Two CCs to GP for Municipal Administration, High Court of AP, Hyderabad (OUT)

THE HON'BLE MR JUSTICE N.V. RAMANA

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Date: 29-11-2004